

ORDINANCE NO. 4835

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, RELATING TO CHAPTER 1.06 "CITY MANAGER AND ASSISTANT CITY MANAGER" AND AMENDING SECTION 1.06.040; AND RECODIFYING AND AMENDING SECTIONS 1.07.160 AND 1.07.200 WITH NEW SECTIONS WITHIN CHAPTER 1.06 OF THE ELLENSBURG CITY CODE.

WHEREAS, on June 18, 2018 the City Council adopted Ordinance No. 4804 relating to Chapter 1.06 "City Manager and Assistant City Manager and amending Section 1.06.040 of the Ellensburg City Code; and

WHEREAS, minor changes related to the authorized spending authority stated in Section 1.06.040 of the ECC are needed; and

WHEREAS, authorities previously delegated to the City Manager in Chapter 1.07 are most logically codified in Chapter 1.06; and

WHEREAS, since adoption of Chapter 1.07, terminology relating to city operational and financial structure has changed;

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ELLENSBURG, WASHINGTON, DO ORDAIN AS FOLLOWS:

Section 1. Section 1.06.040 of the Ellensburg City Code, as last amended by Section 13 of Ordinance 4804, is hereby amended to read as follows:

A. The city manager, and, in the absence of the city manager, the assistant city manager or acting city manager, and designees of the city manager, assistant city manager or acting city manager employed in the administrative "service of the city, are authorized to execute the following agreements, contracts and leases on behalf of the city of Ellensburg; provided, that sufficient funds required for any appropriations have been budgeted by the council:

1. Purchases and sales that do not exceed \$40,000. The city manager may delegate this authority to department directors for contracts under which the city's liability does not exceed ~~\$10,000~~\$25,000. Department directors may delegate this authority to other employees of their department for contracts under which the city's liability does not exceed ~~\$2,500~~\$10,000;

2. Agreements and contracts which have an annual value up to \$40,000, and amendments thereto which do not increase the annual value of such agreement or contract beyond an aggregate amount of \$40,000. The city manager may delegate this authority to department directors for agreements and contracts under which the city's liability does not exceed ~~\$10,000~~\$25,000. Department directors may delegate this authority to other employees of their department for contracts under which the city's liability does not exceed ~~\$2,500~~\$10,000;

3. Leases that do not exceed one year in length and do not exceed \$40,000 in value;
4. Agreements and contracts with the city's designated public depositaries;
5. Agreements, contracts and leases awarded by the council at any regular or special meeting of the council;
6. Any other agreements, contracts and leases authorized by the council by ordinance, resolution, or motion;
7. Amendments to agreements, contracts and leases awarded or authorized by the council; provided, that the aggregate value of all amendments to any agreement, contract or lease may not exceed \$40,000 or 10 percent of the original contract amount, whichever is greater, unless otherwise authorized by the council; and
8. Amendments to agreements, contracts and leases awarded or authorized by the council that do not materially alter such agreement, contract or lease, and do not increase the financial obligation of the city beyond the total amount authorized by the council in its award, ordinance, resolution or motion.

B. Agreements, contracts, and leases executed on behalf of the city shall be filed with the office of the city clerk and open to public inspection in the manner provided by law subject to exceptions, prohibitions, and exemptions therein provided. The city manager shall regularly report to the council all agreements, contracts and leases he or she executes on behalf of the city. [Ord. 4804 § 13, 2018.]

Section 2. Section 1.07.160 of the Ellensburg City Code, as last amended by Section 3 of Ordinance 3615, is hereby recodified and amended in a new section 1.06.060 entitled "Budget transfers – Authorization".

The city manager is authorized to order and direct transfers between line items within a function or between functions within a fund's budget appropriations.

Section 3. Section 1.07.200 of the Ellensburg City Code, as last amended by Section 3 of Ordinance 3615, is hereby recodified and amended in a new section 1.06.070 entitled "Budget transfers – Report".

A report of such transfers authorized in ECC 1.06.060 shall be made a part of the annual financial report in which the original appropriations, the final appropriations, and any changes shall be shown.

Section 4. Severability. If any portion of this ordinance is declared invalid or unconstitutional by any court of competent jurisdiction, such holding shall not affect the validity of the remaining portion(s) of this ordinance.

Section 5. Corrections. Upon the approval of the City Attorney, the City Clerk and the codifiers of this ordinance are authorized to make necessary corrections to this ordinance including, but not limited to, the correction of scrivener's/clerical errors, references, ordinance numbering, section/subsection numbers and any references thereto.

Section 6. Effective Date. This ordinance shall take effect and be in full force five (5) days after publication as required by law.

The foregoing ordinance was passed and adopted at a regular meeting of the City Council on the 19th day of August, 2019.

ATTEST:


MAYOR


CITY CLERK

Approved as to form:


CITY ATTORNEY

Publish: 8-22-19

I, Beth Leader, City Clerk of said City, do hereby certify that Ordinance No. 4835 is a true and correct copy of said Ordinance of like number as the same was passed by said Council, and that Ordinance No. 4835 was published as required by law.


BETH LEADER